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Economic and Social Council

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5 December 2005

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Substantive session of 2005
General segment

Provisional summary record of the 38th meeting
Held at Headquarters, New York, on Monday, 25 July 2005, at 10 a.m.

President: Mr. Nesho (Vice-President) ..... (Albania)

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05-43718 (E)

In the absence of Mr. Akram (Pakistan), Mr. Nesho (Albania), Vice-President, took the Chair.

The meeting was called to order at 10.20 a.m.

Social and human rights questions: human rights

Recommendations contained in the report of the Commission on Human Rights (E/2005/23, Part I and Corr.1, E/2005/L.34)

1. **The President** invited the Council to take action on the draft resolution and draft decisions contained in Chapter I of the report of the Commission on Human Rights (E/2005/23, Part I). The programme budget implications of the draft decisions were contained in document E/2005/L.34. Draft resolution entitled *Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law*.

2. **Mr. Muñoz** (Chile) said that the draft resolution was based on Commission on Human Rights resolution 2005/35, proposed by Chile, which had been adopted without opposing votes following a transparent process supported by all the regional groups. The draft resolution did not create any new obligations for Member States, but would serve both victims and States as a useful tool for designing public policy on remedies and reparations.

3. **Mr. Theummel** (Germany) said that he would abstain from voting for reasons given at the time of the vote on resolution 2005/35 in the Commission on Human Rights.

4. *At the request of the representative of the United States of America, a recorded vote was taken on the draft resolution.*

In favour:

Albania, Armenia, Azerbaijan, Bangladesh, Belgium, Belize, Brazil, Canada, China, Congo, Costa Rica, Cuba, Denmark, Ecuador, France, Guinea, Iceland, Indonesia, Ireland, Italy, Jamaica, Japan, Kenya, Lithuania, Malaysia, Mauritius, Mexico, Namibia, Nicaragua, Panama, Poland, Republic of Korea, Russian Federation, Saudi Arabia, Senegal, South Africa, Spain, Thailand, Tunisia, Turkey, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania.

Against:

None.

Abstaining:

Australia, Germany, India, Nigeria, United States of America.

5. *Draft resolution 1 was adopted by 43 votes to none, with 5 abstentions.*

6. **Ms. Zack** (United States of America) regretted that she had been compelled to call for a recorded vote, stressing the importance her country attached to the Basic Principles and Guidelines as a text embodying respect for the rule of law and accountability and condemning impunity. However, because her country's request for a neutral text on the International Criminal Court had not been accommodated, the United States had called for a vote on the Commission on Human Rights draft resolution 2005/35, from which it had abstained, as it had again abstained in the vote on the Council's related draft resolution. She emphasized that countries not parties to the treaty establishing the Court had no obligations in that regard, unless otherwise directed by the Security Council.

Draft decision 1: "The use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination"

7. *At the request of the representative of the United States of America, a recorded vote was taken on draft decision 1.*

In favour:

Armenia, Azerbaijan, Bangladesh, Belize, Brazil, China, Colombia, Congo, Costa Rica, Cuba, Ecuador, Guinea, India, Indonesia, Jamaica, Kenya, Malaysia, Mauritius, Mexico, Namibia, Nicaragua, Panama, Russian Federation, Senegal, South Africa, Thailand, Tunisia, United Arab Emirates, United Republic of Tanzania.

Against:

Albania, Australia, Belgium, Canada, Denmark, France, Germany, Iceland, Ireland, Italy, Japan, Lithuania, Poland, Republic of Korea, Spain, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining:

None.

8. *Draft decision 1 was adopted by 29 votes to 18.*

Draft decision 2: "The right to development"

9. *At the request of the representative of the United States of America, a recorded vote was taken on draft decision 2.*

In favour:

Albania, Armenia, Azerbaijan, Bangladesh, Belgium, Belize, Brazil, Canada, China, Colombia, Congo, Costa Rica, Cuba, Denmark, Ecuador, France, Germany, Guinea, Iceland, India, Indonesia, Ireland, Italy, Jamaica, Kenya, Lithuania, Malaysia, Mauritius, Mexico, Mozambique, Namibia, Nicaragua, Panama, Poland, Republic of Korea, Russian Federation, Saudi Arabia, Senegal, South Africa, Spain, Thailand, Tunisia, Turkey, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania.

Against:

Australia, United States of America.

Abstaining:

Japan.

10. *Draft decision 2 was adopted by 46 votes to 2, with 1 abstention.*

Draft decision 3: "Situation of human rights in Myanmar"

11. **Mr. Lynn** (Myanmar) said that his country attached particular importance to the protection and promotion of human rights in accordance with the principles enshrined in the Charter of the United Nations. It believed in a constructive, fair and objective approach in that regard, based on dialogue and respect for the principles of non-selectivity, territorial integrity, non-interference and national sovereignty. At the sixty-first session of the Commission on Human Rights, the delegation of Myanmar had rejected in its entirety the Commission's resolution 2005/10, while specifying that cooperation with the United Nations was the cornerstone of Myanmar's foreign policy. Myanmar stood by that position.

12. **Mr. Zhang** Xumin (China) said that his country understood the challenges and difficulties facing Myanmar in its efforts towards national reconstruction and reconciliation. China had always urged the international community to promote human rights through dialogue, rather than seeking to apply political pressure on countries.

13. **Mr. Cumberbach** (Cuba) said that his delegation could not join a consensus marked by double standards. The procedure followed would only aggravate confrontation between developed countries and the Third World instead of furthering cooperation between them.

14. *Draft decision 3 was adopted.*

Draft decision 4: "Situation of human rights in the Democratic People's Republic of Korea"

15. **Mr. Sin** (Democratic People's Republic of Korea) regretted that the draft decision had been taken up again by the Council, based as it was on Commission on Human Rights resolution 2005/11, which was filled with false information and reflected the hostile policy of the United States of America towards his country. The Democratic People's Republic of Korea categorically rejected that resolution and did not recognize the Special Rapporteur. Human rights were not the monopoly of one group or country. It was urgent that justice and impartiality be brought back into United Nations forums. He warned that the adoption of such texts blocked the possibility of dialogue and did nothing to promote human rights.

16. **Mr. Zhang** Xumin (China) stressed the economic problems besetting the Democratic People's Republic of Korea, which deserved the international community's help rather than its condemnation. The politicization of human rights contributed to the credibility crisis of the United Nations and did nothing to promote their healthy development.

17. **Mr. Cumberbach** (Cuba) said that, as previously, Cuba could not join a consensus that brought discredit to the Commission on Human Rights. The adoption of such texts marked by double standards could only aggravate confrontation.

18. *Draft decision 4 was adopted.*

Draft decision 5: "Situation of human rights in Belarus"

19. **Mr. Lykyantsev** (Russian Federation) said that the reform of the United Nations was currently under active discussion, including reform of the Commission on Human Rights and the special procedures of the Commission. The actions of the Special Rapporteur on

the situation of human rights in Belarus had shown how one individual could compromise the entire procedure. His delegation therefore requested a recorded vote on the draft decision.

20. **Mr. Cumberbach** (Cuba) said that his delegation would vote against the draft decision, which only served the geopolitical and ideological interests of its authors.

21. **Mr. Zhang** Xumin (China) said that his delegation would also vote against the draft decision.

22. At *the request of the representative of the Russian Federation, a recorded vote was taken on draft decision 5.*

In favour:

Albania, Australia, Belgium, Canada, Costa Rica, Denmark, France, Germany, Iceland, Ireland, Italy, Japan, Lithuania, Mexico, Panama, Poland, Republic of Korea, Saudi Arabia, Spain, Turkey, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America.

Against:

Armenia, China, Cuba, India, Indonesia, Kenya, Malaysia, Namibia, Pakistan, Russian Federation, South Africa.

Abstaining:

Azerbaijan, Bangladesh, Belize, Brazil, Colombia, Congo, Ecuador, Guinea, Jamaica, Mauritius, Mozambique, Senegal, Thailand, Tunisia, United Republic of Tanzania.

23. *Draft decision 5 was adopted by 23 votes to 11, with 15 abstentions.*

Draft decision 6: Effects of economic reform policies and foreign debt on the full enjoyment of human rights

24. *At the request of the representative of the United Kingdom, speaking on behalf of the European Union, a recorded vote was taken on draft decision 6.*

In favour:

Bangladesh, Belize, Brazil, China, Colombia, Congo, Cuba, Ecuador, Guinea, India, Indonesia, Jamaica, Kenya, Malaysia, Mauritius, Mozambique, Namibia, Nicaragua, Nigeria, Pakistan, Panama, Russian Federation, Saudi Arabia, Senegal, South Africa, Thailand, Tunisia, United Arab Emirates, United Republic of Tanzania.

Against:

Albania, Australia, Belgium, Canada, Denmark, France, Germany, Iceland, Ireland, Italy, Japan, Lithuania, Poland, Republic of Korea, Spain, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining:

Armenia, Azerbaijan, Costa Rica, Mexico.

25. *Draft decision 6 was adopted by 29 votes to 18, with 4 abstentions.*

Draft decision 7: The right of everyone to the enjoyment of the highest attainable standard of physical and mental health

26. **Ms. Zack** (United States of America) said that her delegation did not welcome the report of the Special Rapporteur or the extension of his mandate, which he had exceeded. Private and public sector obligations were not the same and should not be treated so. Her delegation therefore requested a recorded vote on the draft decision.

27. *At the request of the representative of the United States of America, a recorded vote was taken on draft decision 7.*

In favour:

Albania, Armenia, Australia, Azerbaijan, Bangladesh, Belgium, Belize, Brazil, Canada, China, Colombia, Congo, Costa Rica, Cuba, Denmark, Ecuador, France, Germany, Guinea, Iceland, India, Indonesia, Ireland, Italy, Jamaica, Japan, Kenya, Lithuania, Malaysia, Mauritius, Mexico, Mozambique, Namibia, Nicaragua, Nigeria, Pakistan, Panama, Poland, Republic of Korea, Russian Federation, Saudi Arabia, Senegal, South Africa, Spain, Thailand, Tunisia, Turkey, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania.

Against:

United States of America.

Abstaining:

None.

28. *Draft decision 7 was adopted by 50 votes to 1.*

Draft decision 8: Enforced or involuntary disappearances

29. *Draft decision 8 was adopted.*

Draft decision 9: Independence and impartiality of the judiciary, jurors and assessors and the independence of lawyers

30. *Draft decision 9 was adopted.*

Draft decision 10: The right to freedom of opinion and expression

31. *Draft decision 10 was adopted.*

Draft decision 11: Torture and other cruel, inhuman or degrading treatment or punishment

32. *Draft decision 11 was adopted.*

Draft decision 12: Elimination of violence against women

33. *Draft decision 12 was adopted.*

Draft decision 13: Human rights of migrants

34. *Draft decision 13 was adopted.*

Draft decision 14: Working Group on Indigenous Populations of the Sub-Commission on the Promotion and Protection of Human Rights

35. **Ms. Zack** (United States of America) said that her delegation believed that the Working Group on Indigenous Populations had outlived its usefulness in the area of standard-setting, as the Permanent Forum on Indigenous Issues was performing those functions. It would be a better use of time to allot the two weeks of meetings to the Working Group on the draft declaration. Her delegation had requested a recorded vote on the draft decision and would vote against it.

36. *At the request of the representative of the United States of America, a recorded vote was taken on draft decision 14.*

In favour:

Armenia, Azerbaijan, Bangladesh, Belize, Brazil, Canada, China, Colombia, Congo, Costa Rica, Cuba, Ecuador, Guinea, India, Indonesia, Jamaica, Kenya, Malaysia, Mauritius, Mexico, Mozambique, Namibia, Nicaragua, Pakistan, Panama, Russian Federation, Saudi Arabia, Senegal, Thailand, Tunisia, United Arab Emirates, United Republic of Tanzania.

Against:

Albania, Australia, Belgium, France, Germany, Iceland, Ireland, Italy, Japan, Lithuania, Poland, Republic of Korea, South Africa, Spain, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining:

Denmark.

37. *Draft decision 14 was adopted by 32 votes to 17, with one abstention.*

Draft decision 15: Working Group of the Commission on Human Rights to elaborate a draft declaration in accordance with paragraph 5 of General Assembly resolution 49/214 of 23 December 1994

38. **Ms. Zack** (United States of America) said that by adopting the draft decision, the Council would be authorizing the Working Group to continue to meet, when it should have finished its work in the 10 years allotted to it by General Assembly resolution 49/214. What was needed was not an open-ended negotiating mandate but a commitment to a swift and successful outcome. Her delegation had therefore requested a recorded vote on the draft decision and would abstain.

39. *At the request of the representative of the United States of America, a recorded vote was taken on draft decision 15.*

In favour:

Albania, Armenia, Australia, Azerbaijan, Bangladesh, Belgium, Belize, Brazil, Canada, China, Colombia, Congo, Costa Rica, Cuba, Denmark, Ecuador, France, Germany, Guinea, Iceland, India, Indonesia, Ireland, Italy, Jamaica, Japan, Kenya, Lithuania, Malaysia, Mauritius, Mexico, Mozambique, Namibia, Nicaragua, Pakistan, Panama, Poland Republic of Korea, Russian Federation, Saudi Arabia, Senegal, South Africa, Spain, Thailand, Tunisia, Turkey, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania.

Against:

None.

Abstaining:

United States of America.

40. *Draft decision 15 was adopted by 49 votes to none, with 1 abstention.*

Draft decision 16: Human rights and indigenous issues

41. *Draft decision 16 was adopted.*

Draft decision 17: Human rights and international solidarity

42. *At the request of the representative of Canada, a recorded vote was taken on draft decision 17.*

In favour:

Armenia, Azerbaijan, Bangladesh, Belize, Brazil, China, Colombia, Congo, Costa Rica, Cuba, Ecuador, Guinea, India, Indonesia, Jamaica, Kenya, Malaysia, Mauritius, Mexico, Mozambique, Namibia, Nicaragua, Nigeria, Pakistan, Panama, Russian Federation, Saudi Arabia, Senegal, South Africa, Thailand, Tunisia, United Republic of Tanzania.

Against:

Albania, Australia, Belgium, Canada, Denmark, France, Germany, Iceland, Ireland, Italy, Japan, Lithuania, Poland, Republic of Korea, Spain, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining:

None.

43. *Draft decision 17 was adopted by 32 votes to 18.*

Draft decision 18: World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance and the comprehensive implementation of and follow-up to the Durban Declaration and Programme of Action

44. *Draft decision 18 was adopted.*

45. **Ms. Zack** (United States of America) said that, despite its vote against Commission on Human Rights resolution 2005/64 and its concerns regarding the Conference, her delegation had joined the consensus because draft decision 18 focused on the mandate of the Special Rapporteur.

Draft decision 19: Human rights and transnational corporations and other business enterprises

46. **Ms. Zack** (United States of America) said that her country had the strongest business regulatory environment in the world; corporations had the responsibility to obey the law and respect human rights. Furthermore, human rights obligations were incumbent on States and not on private actors. Her delegation had asked the sponsors to remove language implying otherwise from the draft decision. Those changes had not been made, and the draft decision as currently worded could hurt development. Her delegation therefore requested a recorded vote and would vote against the draft decision.

47. *At the request of the representative of the United States of America, a recorded vote was taken on draft decision 19.*

In favour:

Albania, Armenia, Azerbaijan, Bangladesh, Belgium, Belize, Brazil, Canada, China, Colombia, Congo, Costa Rica, Cuba, Denmark, Ecuador, France, Germany, Guinea, Iceland, India, Indonesia, Ireland, Italy, Jamaica, Japan, Kenya, Lithuania, Malaysia, Mauritius, Mexico, Mozambique, Namibia, Nicaragua, Pakistan, Panama, Poland, Republic of Korea, Russian Federation, Saudi Arabia, Senegal, Spain, Thailand, Tunisia, Turkey, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania.

Against:

Australia, South Africa, United States of America.

Abstaining:

None.

48. *Draft decision 19 was adopted by 47 votes to 3.*

Draft decision 20: Composition of the staff of the Office of the United Nations High Commissioner for Human Rights

49. *At the request of the representative of the United Kingdom, speaking on behalf of the European Union, a recorded vote was taken on draft decision 20.*

In favour:

Armenia, Azerbaijan, Bangladesh, Belize, Brazil, China, Colombia, Congo, Costa Rica, Cuba, Ecuador, Guinea, India, Indonesia, Jamaica, Kenya, Malaysia, Mauritius, Mexico, Mozambique, Namibia, Nicaragua, Pakistan, Panama, Russian Federation, Saudi Arabia, Senegal, South Africa, Thailand, Tunisia, United Arab Emirates, United Republic of Tanzania.

Against:

Albania, Australia, Belgium, Canada, Denmark, France, Germany, Iceland, Ireland, Italy, Japan, Lithuania, Poland, Republic of Korea, Spain, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining:

None.

50. *Draft decision 20 was adopted by 32 votes to 18.*

Draft decision 21: Advisory services and technical assistance for Burundi

51. *Draft decision 21 was adopted.*

Draft decision 22: Assistance to Sierra Leone in the field of human rights

52. *Draft decision 22 was adopted.*

Draft decision 23: Technical cooperation and advisory services in Nepal

53. *Draft decision 23 was adopted.*

Draft decision 24: Rights of persons belonging to national or ethnic, religious and linguistic minorities

54. *Draft decision 24 was adopted.*

Draft decision 25: Protection of human rights and fundamental freedoms while countering terrorism

55. Draft decision 25 was adopted.

Draft decision 26: Situation of human rights in the Sudan

56. *Draft decision 26 was adopted.*

Draft decision 27: Assistance to Somalia in the field of human rights

57. *Draft decision 27 was adopted.*

Draft decision 28: Technical cooperation and advisory services in the Democratic Republic of the Congo

58. *Draft decision 28 was adopted.*

59. **Ms. Zack** (United States of America) said that her delegation had disassociated itself from Commission on Human Rights resolution 2005/85 due to unacceptable language on the International Criminal Court. It had joined the consensus on draft decision 28 because that language had not been included.

Draft decision 29: Corruption and its impact on the full enjoyment of human rights, in particular economic, social and cultural rights

60. *Draft decision 29 was adopted.*

Draft decision 30: Study on non-discrimination as enshrined in article 2, paragraph 2, of the International Covenant on Economic, Social and Cultural Rights

61. *Draft decision 30 was adopted.*

Draft decision 31: Promotion of the realization of the right to drinking water and sanitation

62. *At the request of the representative of the United States of America, a recorded vote was taken on draft decision 31.*

In favour:

Albania, Armenia, Azerbaijan, Bangladesh, Belgium, Belize, Brazil, Canada, China, Colombia, Congo, Costa Rica, Cuba, Denmark, Ecuador, France, Germany, Guinea, Iceland, India, Indonesia, Ireland, Italy, Jamaica, Kenya, Lithuania, Malaysia, Mauritius, Mexico, Mozambique, Namibia, Nicaragua, Pakistan, Panama, Poland, Republic of Korea, Russian Federation, Saudi Arabia, Senegal, South Africa, Spain, Thailand, Tunisia, Turkey, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania.

Against:

Japan, United States of America.

Abstaining:

None.

63. *Draft decision 31 was adopted by 47 votes to 2.*

Draft decision 32: Terrorism and human rights

64. *At the request of the representative of the United States of America, a recorded vote was taken on draft decision 32.*

In favour:

Armenia, Azerbaijan, Bangladesh, Belize, Brazil, China, Colombia, Costa Rica, Cuba, Ecuador, Guinea, India, Indonesia, Jamaica, Japan, Kenya, Malaysia, Mauritius, Mexico, Mozambique,

Namibia, Nicaragua, Pakistan, Panama, Russian Federation, Saudi Arabia, Senegal, South Africa, Thailand, Tunisia, Turkey, United Arab Emirates, United Republic of Tanzania.

Against:

Australia, United States of America.

Abstaining:

Albania, Belgium, Canada, Denmark, France, Germany, Iceland, Ireland, Italy, Lithuania, Poland, Republic of Korea, Spain, United Kingdom of Great Britain and Northern Ireland.

65. *Draft decision 32 was adopted by 33 votes to 2, with 14 abstentions.*

Draft decision 33: The difficulty of establishing guilt and/or responsibility with regard to crimes of sexual violence

66. *The draft decision 33 was adopted.*

Draft decision 34: Discrimination based on work and descent

67. *Draft decision 34 was adopted.*

Draft decision 35: Final report on the study on indigenous peoples' permanent sovereignty over natural resources

68. *At the request of representative of Australia, a recorded vote was taken on draft decision 35.*

In favour:

Armenia, Azerbaijan, Bangladesh, Belize, Brazil, Canada, China, Colombia, Congo, Costa Rica, Cuba, Ecuador, Guinea, India, Indonesia, Jamaica, Kenya, Malaysia, Mauritius, Mexico, Mozambique, Namibia, Nicaragua, Pakistan, Panama, Russian Federation, Saudi Arabia, Senegal, South Africa, Thailand, Tunisia, United Arab Emirates, United Republic of Tanzania.

Against:

Australia, United States of America.

Abstaining:

Albania, Belgium, Denmark, France, Germany, Iceland, Ireland, Italy, Japan, Lithuania, Poland, Republic of Korea, Spain, Turkey, United Kingdom of Great Britain and Northern Ireland.

69. *Draft decision 35 was adopted by 33 votes to 2, with 15 abstentions.*

Draft decision 36: Human rights and human responsibilities

70. **Mr. Zhang** Xumin (China) said that it regretted the European Union's opposition to the draft decision. It should be remembered that the Subcommission on the Promotion and Protection of Human Rights had appointed Mr. Miguel Alfonso Martínez to undertake a study on human rights and responsibilities, with the approval of the Commission. Mr. Martínez was a renowned expert in the field of human rights and had clearly demonstrated his commitment to indigenous peoples. It was hoped that the European Union would therefore respect the majority view and support his efforts.

71. **Mr. Wood** (United Kingdom), speaking on behalf of the European Union, said that, while a State could impose duties or responsibilities on individuals for the purposes of social cohesion, such responsibilities should not interfere with inalienable human rights and should be consistent with relevant international law. The European Union rejected the idea that the State could determine which rights, if any, an individual might enjoy in return for the exercise of responsibilities. Of the 27 States that had responded to the Office of the High Commissioner for Human Rights, only two favoured continuing work on the declaration; furthermore, Commission on Human Rights resolution 2000/63 gave no mandate to elaborate such a draft, which would undermine the very foundations of human rights, especially the principles of universality and inalienability. The Council had both the right and the duty to examine the decisions of the Commission and, if necessary, to reject resolutions that undermined the fundamental principles of the United Nations.

72. *At the request of the representative of the United Kingdom, speaking on behalf of the European Union, a recorded vote was taken on draft decision 36.*

In favour:

Bangladesh, Belize, China, Colombia, Congo, Cuba, Ecuador, Guinea, India, Indonesia, Jamaica, Kenya, Malaysia, Mauritius, Mozambique, Namibia, Pakistan, Russian Federation, Saudi Arabia, South Africa, Thailand, Tunisia, United Arab Emirates.

Against:

Albania, Armenia, Australia, Belgium, Brazil, Canada, Costa Rica, Denmark, France, Germany,

Iceland, Ireland, Italy, Japan, Lithuania, Mexico, Nicaragua, Panama, Poland, Republic of Korea, Senegal, Spain, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America.

Abstaining:

Azerbaijan, United Republic of Tanzania.

73. *Draft decision 36 was rejected by 25 votes to 23, with 2 abstentions.*

74. **Mr. Boonpracong** (Thailand) said that a vote in favour of draft decision 36 was based on the understanding that the declaration had been drafted so as to be consistent with the Universal Declaration of Human Rights, in particular article 29.

Draft decision 37: Enhancing and strengthening the effectiveness of the special procedures of the Commission on Human Rights

75. *Draft decision 37 was adopted.*

Draft decision 38: Dates of the sixty-second session of the Commission on Human Rights

76. *Draft decision 38 was adopted.*

Draft decision 39: Organization of work of the sixty-second session of the Commission on Human Rights

77. **Ms. Zack** (United States of America) said that her Government would vote against the draft decision, due to the programme budget implications. It hoped that the additional meetings of the Commission on Human Rights would not be required, or that the additional costs would be absorbed.

78. *At the request of the representative of the United States of America, a recorded vote was taken on draft decision 39.*

In favour:

Albania, Armenia, Azerbaijan, Bangladesh, Belgium, Belize, Brazil, Canada, China, Colombia, Congo, Costa Rica, Cuba, Denmark, Ecuador, France, Germany, Guinea, Iceland, India, Indonesia, Ireland, Italy, Jamaica, Japan, Kenya, Lithuania, Malaysia, Mauritius, Mexico, Mozambique, Namibia, Nicaragua, Pakistan, Panama, Poland, Republic of Korea, Russian Federation, Saudi Arabia, Senegal, South Africa, Spain, Thailand, Tunisia, Turkey, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania.

Against:

United States of America.

Abstaining:

None.

79. *Draft decision 39 was adopted by 48 votes to 1.*

80. **Ms. Sato** (Japan) said that her Government had voted in favour of draft decision 39 in the belief that cooperation would facilitate the smooth conduct of the next session. Japan believed that the Commission on Human Rights should first consider rationalizing its work, so that the sessions could be concluded within the scheduled period of time. Japan had serious concerns that there would be additional budgetary requirements, without adequate consideration of efficient working methods.

Draft decision 40: Proposed reform of the Secretary-General in the area of human rights

81. **The President,** recalling that draft decision E/2005/L.11/Rev.1 entitled "Proposed reform of the Secretary-General in the area of human rights" had been adopted by the Council at its resumed organizational session in June 2005, said that no further action was required on draft decision 40.

Draft decision 41: Technical cooperation in the field of human rights in Afghanistan

82. *Draft decision 41 was adopted.*

Draft decision 42: Situation of human rights in Haiti

83. *Draft decision 42 was adopted.*

Draft decision entitled "Convention on the Prevention and Punishment of the Crime of Genocide" (E/2005/23 (Part I) Corr.1)

84. *The draft decision was adopted.*

85. **The President** proposed that the Council should take note of the report of the Committee on Economic, Social and Cultural Rights on its thirty-second and thirty-third sessions (E/2005/22); the report of the Commission on Human Rights on its sixty-first session (E/2005/23, Part I); the report of the United Nations High Commissioner for Human Rights (E/2005/65);

and the report of the Permanent Forum on Indigenous Issues on its fourth session (E/2005/43).

86. **Ms. Groux** (Observer for Switzerland) drew attention to editorial errors in the text of resolution 2005/70, entitled "Human rights and transitional justice" and resolution 2005/78, entitled "Technical cooperation and advisory services in Nepal" reproduced in the report of the Commission on Human Rights (E/2005/23, Part I).

87. **Mr. Cumberbach** (Cuba) said that his Government dissociated itself from Commission on Human Rights resolution 2005/12 on alleged violations of human rights in Cuba. The resolution had been drafted by the world's primary violator of human rights and had been adopted as a result of coercion. In reality, the only place in Cuba where human rights were being systematically violated was the illegal naval base in Guantanamo Bay. The Commission on Human Rights was in crisis due to political manipulation, selectivity, blackmail and the hypocrisy of a number of developed nations. The proposed reduction in membership would only cause further deterioration and prevent cooperation in the area of human rights.

88. **Ms. Zack** (United States of America) said that it was her Government's understanding that the Council was taking note of the reports before it; in accordance with General Assembly decision 55/488, the term "takes note of" constituted neither approval nor disapproval.

89. **Ms. Garcia-Matos** (Bolivarian Republic of Venezuela) said that her Government was committed to seeking social justice for all indigenous peoples and had incorporated that commitment into the national Constitution. Nevertheless, her Government believed that the State exercised sovereignty over its natural resources, and it was therefore unable to accept paragraphs 29 and 78 of the report of the Permanent Forum on Indigenous Issues on its fourth session (E/2005/43).

90. **Ms. Moreno** (Colombia) said that the Forum had gone beyond its mandate in some of its recommendations; it expressed reservations regarding paragraphs 29, 30, 36, 38 and 138 of the report.

The meeting rose at 12.20 p.m.

United Nations E/2005/SR.39

Economic and Social Council

Provisional

7 November 2005

Original: English

Substantive session of 2005
General segment

Provisional summary record of the 39th meeting
Held at Headquarters, New York, on Tuesday, 26 July 2005, at 3 p.m.

President: Mr. Nesho (Vice-President) ..... (Albania)

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05-43877 (E)

In the absence of Mr. Akram (Pakistan), Mr. Nesho (Albania), Vice-President, took the Chair.

The meeting was called to order at 3.15 p.m.

Coordination, programme and other questions (*continued*)

(e) Mainstreaming a gender perspective into all policies and programmes in the United Nations system (*continued*) (E/2005/L.38)

Draft resolution E/2005/L.38

1. **Mr. Komar** (Indonesia) introduced draft resolution E/2005/L.38 and read out the list of additional co-sponsors of the draft text. In draft paragraph 4 (j), the words "promoting the collection, compilation and analysis of sex-disaggregated data, and ensuring their use of such data" should be substituted for "and ensuring the use of available sex-disaggregated data".

2. **Mr. Fox** (United States of America), with reference to the fourth preambular paragraph, recalled the position which the United States delegation had taken at the 2005 session of the Committee on the Elimination of Discrimination against Women.

3. *Draft resolution E/2005/L.38, as orally revised, was adopted.*

(h) Ad hoc advisory groups on African countries emerging from conflict (*continued*) (E/2005/L.25, L.30, L.36 and L.37)

Ad Hoc Advisory Group on Guinea-Bissau (E/2005/L.30 and L.36)

4. *Draft resolution E/2005/L.36 was adopted.*

5. *Draft resolution E/2005/L.30 was withdrawn.*

Ad Hoc Advisory Group on Burundi (E/2005/L.25 and L.37)

6. *Draft resolution E/2005/L.37 was adopted.*

7. *Draft resolution E/2005/L.25 was withdrawn.*

Regional cooperation — Theme: "Achievement of the internationally agreed development goals, including those contained in the Millennium Declaration: a regional perspective" (*continued*) (E/2005/15/Add.1 and E/2005/L.21)

8. **Mr. Benmellouk** (Morocco) introduced draft resolution E/2005/L.21, entitled "Europe-Africa fixed link through the Strait of Gibraltar", France had joined the co-sponsors of the draft resolution.

9. *Draft resolution E/2005/L.21 was adopted.*

The meeting was suspended at 3.25 p.m. and resumed at 3.55 p.m.

Action on recommendations contained in document E/2005/15/Add.1

10. **The President** drew the Council's attention to document E/2005/15/Add.1, which contained eight resolutions and one decision from the regional commissions requiring action by the Council.

Draft resolutions I and II

11. **The President** invited the Council to take action on draft resolution I, entitled "Mid-term review concerning the functioning of the conference structure of the Economic and Social Commission for Asia and the Pacific", and on draft resolution II, entitled "Statute of the Statistical Institute for Asia and the Pacific".

12. *Draft resolutions I and II were adopted.*

Draft resolutions III, IV and V

13. **The President** called the Council's attention to the summary of the programme budget implications of draft resolutions III, IV and V, contained in annex II to the report of the sixty-first session of the Economic and Social Commission for Asia and the Pacific (E/2005/39-ESCAP/1359).

14. *Draft resolutions III, IV and V were adopted.*

Draft resolution VI

15. *Draft resolution VI was adopted.*

Draft decision contained in chapter I, section A

16. *The draft decision contained in chapter I, section A, entitled "Venue of the sixty-second session of the Commission", was adopted.*

Draft resolution contained in chapter I, section B

17. *The draft resolution contained in chapter I, section B was adopted.*

Draft resolution contained in chapter I, section C

18. *The draft resolution contained in chapter I, section C was postponed for consideration at a later stage.*

Economic and environmental questions (*continued*) (E/2005/74)

(a) Sustainable development (*continued*) (E/2005/29, Supplement No. 9 and E/2005/L.35)

Draft resolution E/2005/L.35

19. **Ms. Gordon** (Jamaica) introduced draft resolution E/2005/L.35, entitled "United Nations Public-Private Alliance for Rural Development" on behalf of the Group of 77 and China. The draft resolution was based on the first resolution on the issue, which had been adopted at the previous year's substantive session of the Council (E/2004/49). The current draft highlighted the role of the Dominican Republic as the second pilot country for the Alliance.

20. **Mr. Seth** (Secretary of the Council) said that the word "Welcomes" in paragraph 1 should be replaced by "Encourages".

21. **Mr. del Rosario Caballos** (Dominican Republic) thanked the Group of 77 and China for endorsing the draft resolution. The initiative would allow the Government of the Dominican Republic to serve as the second pilot country for the Alliance.

22. *Draft resolution E/2005/L.35, as orally revised, was adopted.*

(d) Human settlements (*continued*) (E/2005/60, A/60/8, Supplement No. 8 and E/2005/L.26)

Draft decision E/2005/L.26

23. *Draft decision E/2005/L.26 was adopted.*

(g) Public administration and development (*continued*) (E/2005/44, Supplement No. 24)

Draft resolution contained in document E/2005/44, Supplement No. 24

24. **The President** proposed that the Council should defer consideration of the draft resolution contained in document E/2005/44, Supplement No. 24.

25. *It was so decided.*

Social and human rights questions (*continued*)

(a) Advancement of women (*continued*) (E/2005/27 and Corr.1)

26. **The President** invited the Council to take action on the draft resolution, entitled "Situation of and assistance to Palestinian women", contained in the report of the Commission on the Status of Women (E/2005/27 and Corr.1). A recorded vote had been requested on the draft resolution.

27. **Mr. Fox** (United States of America) said that the United States would vote against the draft resolution. His Government remained deeply concerned about the impact of the current crisis on Palestinian women and the entire Palestinian population. It was the largest donor to the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) and contributed significant amounts to many United Nations programmes that provided assistance to Palestinians. The United States also provided assistance for the Palestinian people in the West Bank and Gaza through the United States Agency for International Development.

28. At the same time, however, his Government grieved for the innocent Israelis, including women, who had suffered and died as a result of Palestinian terrorist attacks, a reality that many delegations did not recognize.

29. The United States was committed to working with the Quartet and regional States to move both parties forward towards President Bush's vision of two States, Israel and Palestine, living side by side in peace and security. The parties were now at a moment of genuine but fragile opportunity and the focus of the international community should be on helping both sides to maintain progress.

30. One-sided resolutions like the current one only served to undermine the ability of the United Nations to play a constructive role in furthering peace and so make less attainable the peace that, more than anything else, would improve the lot of Palestinian women and all people caught up in the conflict.

31. *A recorded vote was taken.*

In favour:

Albania, Armenia, Australia, Azerbaijan, Bangladesh, Belgium, Belize, Benin, Brazil, Canada, China, Colombia, Congo, Cuba, Denmark, Ecuador, France, Germany, India, Indonesia, Ireland, Italy, Jamaica, Japan, Kenya, Lithuania, Malaysia, Mauritius, Mexico, Mozambique, Namibia, Nigeria, Pakistan, Panama, Poland, Republic of Korea, Russian Federation, Saudi Arabia, Senegal, South Africa, Spain, Thailand, Turkey, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania.

Against:

Australia, United States of America.

Abstaining:

Canada, Democratic Republic of the Congo, Iceland, Nicaragua.

32. *The draft resolution was adopted by 46 votes to 2, with 4 abstentions.*

Draft decision contained in document E/2005/27 and Corr.1

33. *The draft decision contained in document E/2005/27 and Corr.1 was adopted.*

The meeting rose at 4.20 p.m.

United Nations E/2005/SR.40

Economic and Social Council

Provisional

5 December 2005

Original: English

Substantive session of 2005
Operational activities segment

Provisional summary record of the 40th meeting
Held at Headquarters, New York, on Wednesday, 27 July 2005, at 3 p.m.

President: Mr. Akram ..... (Pakistan)

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Economic and social repercussions of the Israeli occupation on the living conditions of the Palestinian people in the occupied Palestinian territory, including Jerusalem, and the Arab population in the occupied Syrian Golan (*continued*)

Corrections to this record should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent *within one week of the date of this document* to the Chief, Official Records Editing Section, room DC2-750, 2 United Nations Plaza.

05-44202 (E)

Economic and environmental questions (*continued*)

(a) Sustainable development (*continued*)

(b) Science and technology for development (*continued*)

(g) Public administration and development (*continued*)

(h) International cooperation in tax matters (*continued*)

(m) Transport of dangerous goods (*continued*)

(d) Human settlements (*continued*)

(e) Environment (*continued*)

(j) Assistance to third States affected by the application of sanctions (*continued*)

Social and human rights questions (*continued*)

(a) Advancement of women (*continued*)

(d) Narcotic drugs (*continued*)

Closure of the session

The meeting was called to order at 3.30 p.m.

Adoption of the agenda and other organizational matters (*continued*)

Theme for the high-level segment of the 2006 substantive session of the Council

1. **The President** recalled that in accordance with General Assembly resolution 50/227, the Council had undertaken consultations on the theme for the high-level segment. While no agreement had yet been reached, he hoped that informal consultations would continue. He took it that the Council wished to defer consideration of the theme for the 2006 high-level segment to a later date.

2. *It was so decided.*

Implementation of and follow-up to major United Nations conferences and summits (*continued*)

(b) Review and coordination of the implementation of the Programme of Action for the Least Developed Countries for the Decade 2001-2010 (*continued*)

Draft resolutions E/2005/L.28 and E/2005/L.46

3. **The President** drew attention to draft resolution E/2005/L.46, entitled "Review and coordination of the implementation of the Programme of Action for the Least Developed Countries for the Decade 2001-2010".

4. **Mr. Seth** (Secretary of the Council), noting that in paragraph 13, the Council called upon the Secretary-General to undertake appropriate measures to strengthen the efficiency and effectiveness of the Office of the High Representative for the Least Developed Countries, Landlocked Developing Countries and Small Island Developing States, said that the draft resolution had no programme budget implications. He drew attention to General Assembly resolution 45/248 B, part VI, in which the Assembly reaffirmed that the Fifth Committee was the appropriate Main Committee entrusted with responsibilities for administrative and budgetary matters and also reaffirmed the role of the Advisory Committee on Administrative and Budgetary Questions.

5. **Mr. Cetinos-Cox** (United States of America) pointed out that there were several discrepancies between the document before the Council and the version agreed upon by Member States. In paragraph 5, the words "calls upon" should be substituted for "requests"; and in paragraph 14 the word "greater" should be deleted. Although many other inaccuracies had been discovered, they could be left uncorrected for now, but his delegation urged the Secretariat to take note of the need to maintain texts as they had been agreed upon by Member States.

6. **The President** said that any discrepancies would be taken into account by the Secretariat, and that all the language versions would be brought into conformity.

7. *Draft resolution E/2005/L.46, as orally corrected, was adopted.*

8. *Draft resolution E/2005/L.28, together with the statement of programme budget implications in document E/2005/L.39, was withdrawn.*

9. **Ms. Houngbedji** (Benin), speaking on behalf of the Group of Least Developed Countries, expressed the Group's gratitude to the Council as a whole, to the Group of 77 and China and to all Member States that had participated actively in the negotiations, making it possible to arrive at a consensus text. The least developed countries had accepted the consensus because they were in a partnership situation, and there could be no partnership without partners. In order to take into account the views expressed by their partners, the least developed countries had accepted the proposals on their participation in the Council's annual review of the Programme of Action. If in the future the expectations with regard to the trust fund were not fulfilled, the least developed countries would raise the issue again, and would be obliged to reintroduce the statement of programme budget implications in document E/2005/L.39.

10. **Mr. Chowdhury** (Under-Secretary-General and High Representative for the Least Developed Countries, Landlocked Developing Countries and Small Island Developing States) stressed the importance of the development of a national statistical capacity for the least developed countries. It was also important that those countries should be taken into account in reports dealing with economic and social issues and in the reports of the United Nations funds and programmes, as well as those of United Nations specialized agencies. The reports themselves should

become more results-oriented, and in that regard his Office had developed a matrix, which it would continue to improve.

11. The Chairman of the Group of 77 and China and the Chairman of the Group of Least Developed Countries had asked the Secretary-General to convene consultations with various stakeholders to discuss preparations for the midterm Review of the Brussels Programme of Action for the Least Developed Countries for the Decade 2001-2010, an initiative of importance to the least developed countries. The Council's annual review of the Programme of Action was very important for the least developed countries, and he hoped that, as the United Nations underwent its own reform process, it would be able to highlight the Council's role as a policy-setting body of the United Nations system. He hoped that the sub-item would be taken up separately during the next Council session, and commended the fact that during the current session the round tables had focused on the needs of the least developed countries in the context of the Millennium Development Goals.

Coordination, programme and other questions (*continued*)

Draft resolutions E/2005/L.27 and E/2005/L.48

12. **The President** drew the Council's attention to draft resolution E/2005/L.48, entitled "Promoting an integrated approach to rural development in developing countries for poverty eradication and sustainable development".

13. *Draft resolution E/2005/L.48 was adopted.*

14. *Draft resolution E/2005/L.27 was withdrawn.*

(a) Reports of coordination bodies (*continued*)

15. **The President** suggested that the Council should take note of the annual overview report for the United Nations Chief Executives Board for Coordination for 2004/2005 contained in document E/2005/63.

16. *It was so decided.*

(d) Long-term programme of support for Haiti (*continued*)

Draft resolution E/2005/L.20/Rev.1

17. **The President** drew attention to draft resolution E/2005/L.20/Rev.1, entitled "Long-term programme of support for Haiti", and to the related statement of programme budget implications contained in document E/2005/L.47.

18. **Mr. Rock** (Canada) drew attention to some discrepancies between the version of the draft resolution before the Council and the text as agreed in negotiations: in the last line of paragraph 2, the words "in preparing the groundwork" should be changed to "to prepare the groundwork"; in paragraph 4, the words "to continue to provide adequate support for the Group's activities" should be changed to "to continue to support the Group's activities adequately"; in paragraph 5, the word "and" should be deleted from the second line and replaced by a comma, and the word "other" should be deleted from the third line; and in paragraph 8, the words "the situation prevailing in Haiti at that time" should be changed to "the situation then prevailing in Haiti". Argentina, Barbados, Belize, Greece, Guatemala and Nicaragua had become sponsors of the draft resolution.

19. He recalled that some delegations had criticized the report of the Ad Hoc Advisory Group on Haiti because it addressed recommendations to a variety of actors including the United Nations Stabilization Mission in Haiti. In Canada's view, it was the role of an advisory group to give advice as it saw fit, and it was for the receivers of the advice to determine the usefulness thereof. It was thus gratifying that in the draft resolution, the Council would take note of the report as a whole, rather than of individual recommendations. Following the extension of the Group's mandate, Canada looked forward to continuing cooperation between the Council and the Security Council, each within its respective mandate, on the situation in Haiti.

20. **Mr. Meyer** (Brazil) noted that, while making long-term recommendations in accordance with its mandate, the Ad Hoc Advisory Group had rightly taken into account the various aspects of the activity of the United Nations on the ground. Brazil considered those recommendations to be extremely valuable in the context of adding the indispensable socio-economic

component to the efforts of the international community to help Haiti along the path to recovery.

21. **Mr. Merores** (Observer for Haiti) said that his Government attached great importance to draft resolution E/2005/L.20/Rev.1, as demonstrated by the letter from the Prime Minister of Haiti to the President of the Council requesting the renewal of the Ad Hoc Advisory Group's mandate. It was Haiti's view that the Council should facilitate the development process and play a strategic role in the integration of peace and development. That facilitating role had three main dimensions: strengthening the Government's managerial capacity, boosting the implementation of the programmes decided on and generating more active participation by the donor community.

22. The period 2005-2006 would be a critical time for the Ad Hoc Advisory Group, as it would be preparing the long-term programme which the people and Government of Haiti were eagerly awaiting, and which would help to promote the country's economic and social development as well as assist it in creating and maintaining stability and combating poverty. In that regard, his Government was working determinedly, with the support of the Economic Commission for Latin America and the Caribbean (ECLAC), on the establishment of a strategic unit that would be the contact point for the Ad Hoc Advisory Group during the preparatory phase for the long-term programme. In the implementation phase, the Group would be working with the Ministry of Planning's operational coordination unit, which would track the operation of the entire implementation mechanism and manage the information system for all sectors.

23. Strict respect for the mandates of the Security Council and the Council respectively was of fundamental importance. The visit which those two bodies had made to Haiti in April 2005 had convinced Haiti even further of the complementarity between actions to restore peace and development actions.

24. **Mr. Suarez Salvia** (Observer for Argentina) said that his country had consistently taken the view that stability and political dialogue largely depended on Haiti's development and economic recovery, and that a long-term strategy was indispensable to make specific plans for a future that would facilitate national reconciliation. A poverty-reduction strategy based on the Millennium Development Goals would act as the basis for social recovery. While the primary responsibility for resolution of the conflict lay with Haitian society, the international community had a duty to act in support of the process of peace and growth. Accordingly, coordination of the Council's work with that of the Security Council was a priority. At the same time, the donor community must give priority consideration to the recommendations of the Group, with particular reference to the special needs of the forthcoming electoral process and the continuity of the process of disarmament, demobilization and reintegration.

25. **Ms. Delgado** (Observer for Venezuela) said that the disintegration of a State was a direct consequence of foreign intervention, which infringed that State's sovereignty and interfered with the self-determination of its people. Any international initiative aimed at resolving the current crisis affecting the Haitian people must not harm, infringe or diminish the ultimate right of the Haitian people to decide for themselves about their social and political institutions, and to choose for themselves the development routes they would take to overcome poverty. It was the duty of the international community to respect the need of all peoples, including those of Haiti, to make their own decisions on their political and social institutions.

26. **Mr. Cetinos-Cox** (United States of America) said that his delegation had requested a separate vote on paragraph 4 of the draft resolution. His Government was certainly not indicating a lack of support for the people of Haiti: it had a deep commitment to the recovery of Haiti and the political process in that country, to which it had allocated nearly $400 million since 2004. However, given the modest amount of funding at issue under paragraph 4 and the substantial resources available to the Department of Economic and Social Affairs, the United States believed that the travel of the members of the Ad Hoc Advisory Group should be funded through proposed resources rather than through a call for additional resources with programme budget implications.

27. At the request of the representative of the United States of America, a recorded vote was taken on paragraph 4 of draft resolution E/2005/L.20/Rev.1.

In favour:

Albania, Armenia, Australia, Azerbaijan, Bangladesh, Belgium, Belize, Benin, Brazil, Canada, China, Colombia, Congo, Costa Rica, Cuba, Denmark, Ecuador, France, Germany,

Guinea, Iceland, India, Indonesia, Ireland, Italy, Jamaica, Japan, Kenya, Lithuania, Malaysia, Mauritius, Mexico, Mozambique, Namibia, Nicaragua, Nigeria, Pakistan, Panama, Poland, Republic of Korea, Russian Federation, Saudi Arabia, Senegal, South Africa, Spain, Thailand, Tunisia, Turkey, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania.

Against:
United States of America.

Abstaining:
None.

28. *Paragraph 4 of draft resolution E/2005/L.20/Rev.1 was adopted by 51 votes to 1.*

29. *Draft resolution E/2005/L.20/Rev.1, as orally revised, was adopted.*

30. **Mr. Sunaga** (Japan) said that his delegation was disturbed at the way the draft resolution had been adopted, and believed that it should have been thoroughly discussed beforehand. Japan also felt that any additional cost should be absorbed by existing resources rather than by additional funds having programme budget implications.

31. **Ms. Gordon** (Jamaica), speaking on behalf of the Group of 77 and China, said that the distressing situation in Haiti was well-known and the people of Haiti were in urgent need of assistance and support from the international community, including the United Nations. In that context, the Group of 77 and China was extremely disappointed that the Council had been asked to vote on the draft resolution, which was an important element in advancing that assistance. Notwithstanding the explanations given by the United States of America, the Group of 77 and China took the view that the substantive issue at hand was too important to be sacrificed for mere procedural concerns, which were all the more regrettable at the current time, when the United Nations could not be ambiguous in its support for the survival of Haiti and its people.

32. **Mr. Merores** (Observer for Haiti) thanked all the delegations which had supported the draft resolution, with particular thanks for the role of Canada. Haiti truly appreciated the efforts made by the members of the Ad Hoc Advisory Group and others who had supported Haiti, such as the Group of 77 and China. His Government welcomed the role of the Council in support of Haiti's efforts to establish the long-term plan, and assured the Council that the results of those efforts would not be disappointing.

(f) Information and Communication Technologies (ICT) Task Force (*continued*)

Draft decision E/2005/L.23

33. **Mr. Seth** (Secretary of the Council) said that paragraph (c) of the draft decision should be deleted, and paragraph (b) should be replaced by the following text: "Welcomes the valuable contribution of the Task Force to preparations for the Tunis Phase of the World Summit on the Information Society and to mainstreaming ICT into development as a powerful tool that can help to achieve the internationally agreed development goals, including those contained in the United Nations Millennium Declaration.

34. *Draft decision E/2005/L.23, as orally revised, was adopted.*

(g) Joint United Nations Programme on HIV/AIDS (UNAIDS) (*continued*)

Draft resolutions E/2005/L.18 and E/2005/L.40

35. *Draft resolution E/2005/L.40 was adopted.*

36. *Draft resolution E/2005/L.18 was withdrawn.*

37. **Mr. Ceinos-Cox** (United States of America) said that although his Government had received the 14 June 2005 version of the recommendations of the Global Task Team on Improving AIDS Coordination among Multilateral Institutions and International Donors, it believed that it was premature to endorse them, or to call upon others to act upon them.

Implementation of General Assembly resolutions 50/227, 52/12 B and 57/270 B (*continued*)

Draft resolutions E/2005/L.31 and E/2005/L.43

38. **The President** invited the Council to take action on draft resolutions E/2005/L.31 and E/2005/L.43, entitled "Role of the Economic and Social Council in the integrated and coordinated implementation of the outcomes of and follow-up to major United Nations conferences and summits".

39. *Draft resolution E/2005/L.43 was adopted.*

40. *Draft resolution E/2005/L.31 was withdrawn.*

Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations (*continued*)

Draft resolution E/2005/L.22

41. **Mr. Cumberbach Miguén** (Cuba) requested that the following oral revisions be made to the draft resolution: paragraph 18 should be deleted, and in paragraph 19, after the words "thereon to the Council", a semicolon should be added, and the rest of the paragraph deleted. He also informed the Council that China had become a sponsor of the draft resolution.

42. **Mr. Chulkov** (Russian Federation) said that the approach of the Russian Federation to decolonization was unchanged. His country had consistently advocated the effective implementation of the rights of peoples in non-self-governing territories to self-determination and independence. At the same time, it was convinced that consideration of that deeply political issue in the framework of the Council was distracting it from performing its main functions, namely to coordinate United Nations activities in the social and economic spheres. His delegation therefore favoured the removal of the item from the Council's agenda. His delegation would abstain from the vote on draft resolution E/2005/L.22.

43. **Ms. Hughes** (United States of America) said that her delegation would abstain from the vote on the draft resolution because it believed that it was inappropriate to link the work of the specialized agencies to the Declaration, or to the issues of colonized peoples. Furthermore, it was the responsibility of the administering Power, not of the Council, to decide on the nature of its territories' participation, or lack thereof. Under the United States Constitution the Federal Government had sole responsibility for the conduct of United States foreign relations and that included foreign relations which related to United States Territories. Those arrangements had been accepted by the Territories and proposed language of the draft resolution infringed upon the relations between the Federal Government and the Governments of the Territories, as well as upon the internal constitutional arrangements of the United States.

44. **Mr. Williams** (United Kingdom), speaking on behalf of the European Union, the acceding countries Bulgaria and Romania, the candidate countries Turkey and Croatia, the countries of the Stabilization and Association Process and potential candidates Albania, Bosnia and Herzegovina, the Former Yugoslav Republic of Macedonia, Serbia and Montenegro and the European Free Trade Association (EFTA) countries, Iceland, Liechtenstein and Norway, members of the European Economic Area, Ukraine and the Republic of Moldova, said that the European Union would abstain from the vote on the draft resolution as it believed that the issues dealt with in the resolution were not under the competence of the Council.

45. At the request of the representative of Cuba, a recorded vote was taken on draft resolution E/2005/L.22:

In favour:

Azerbaijan, Bangladesh, Belize, Benin, Brazil, China, Colombia, Congo, Costa Rica, Cuba, Ecuador, Guinea, India, Indonesia, Jamaica, Kenya, Malaysia, Mauritius, Mexico, Mozambique, Namibia, Nicaragua, Nigeria, Pakistan, Panama, Saudi Arabia, Senegal, South Africa, Thailand, Tunisia, United Arab Emirates, United Republic of Tanzania.

Against:

None.

Abstaining:

Albania, Armenia, Australia, Belgium, Canada, Denmark, France, Germany, Iceland, Ireland, Italy, Japan, Lithuania, Poland, Republic of Korea, Russian Federation, Spain, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America.

46. *Draft resolution E/2005/L.22 was adopted by 32 votes to none, with 20 abstentions.*

Regional cooperation (*continued*)

Draft resolution E/2005/L.45: "The Damascus Declaration and the role of the Economic and Social Commission for Western Asia in the achievement of the internationally agreed development goals, including those contained in the Millennium Declaration"

47. *Draft resolution E/2005/L.45 was adopted.*

48. **The President** drew the Council's attention to document E/2004/15/Add.2 which contained one pending draft resolution, draft resolution III, recommended by the Economic Commission for Latin America and the Caribbean (ECLAC) for adoption by the Council. The draft resolution was entitled "Implementation of resolutions concerning the participation of associate member countries of ECLAC in the follow-up to United Nations world conferences and in the work of the Economic and Social Council".

49. He took it that the Council wished to adopt the following draft decision:

> "Following consideration of ECLAC resolution III (E/2004/15/Add.2) concerning participation of ECLAC associate members, the Council decides to note receipt of the resolution and decides not to take action on this matter."

50. *It was so decided.*

51. **The President** said that he took it that the Council wished to take note of documents E/2005/15 and Add.1 and 2 and E/2005/16-21.

52. *It was so decided.*

Economic and social repercussions of the Israeli occupation on the living conditions of the Palestinian people in the occupied Palestinian territory, including Jerusalem, and the Arab population in the Syrian Golan (*continued*)

Draft resolution E/2005/L.24/Rev.1: "Economic and social repercussions of the Israeli occupation on the living conditions of the Palestinian people in the occupied Palestinian territory, including Jerusalem, and the Arab population in the occupied Syrian Golan"

53. **Mr. Koubaa** (Tunisia) introduced the draft resolution and said that Cuba, Indonesia, Iraq and Namibia had become sponsors.

54. **Mr. Ceinos-Cox** (United States of America), speaking in explanation of the vote before the vote, said that the United States Middle East policy was focused on achieving President Bush's vision of two States, Israel and Palestine, living side by side in peace and security. The requirements for achieving that goal were an effective Palestinian security performance; renewal of a serious political process aimed at a two-State solution that brought hope to Palestinians and Israelis alike; and response to humanitarian needs by building strong, responsible Palestinian authority institutions in preparation for statehood.

55. One-sided resolutions like the draft resolution under consideration undermined the credibility of the work of the Council and did nothing to improve the situation in the region and the people the draft resolution purported to want to help. His Government opposed actions that diverted attention from practical steps by the Quartet and the partners in the international and regional communities to move the parties towards realization of that two-state vision. The focus should be on working together effectively on practical steps to address Palestinian needs and get the two parties back on the path to peace.

56. A recorded vote was taken on draft resolution E/2005/L.24/Rev.1:

In favour:

Albania, Armenia, Azerbaijan, Bangladesh, Belgium, Belize, Benin, Brazil, Canada, China, Colombia, Congo, Cuba, Denmark, Ecuador, France, Germany, Guinea, Iceland, India, Indonesia, Ireland, Italy, Jamaica, Japan, Kenya, Lithuania, Malaysia, Mauritius, Mexico, Mozambique, Namibia, Nicaragua, Nigeria, Pakistan, Panama, Poland, Republic of Korea, Russian Federation, Saudi Arabia, Senegal, South Africa, Spain, Thailand, Tunisia, Turkey, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania.

Against:

Australia, United States of America.

Abstaining:

Costa Rica.

57. *Draft resolution E/2005/L.24/Rev.1 was adopted by 49 votes to 2, with 1 abstention.*

58. **Mr. Rock** (Canada) said that while Canada remained concerned by the security, economic, social and humanitarian situation in the West Bank and Gaza, it was encouraged by recent positive developments and current opportunities to make progress towards a fair, lasting and negotiated peace in the region. It welcomed, in particular, renewed possibilities to promote Palestinian economic regeneration arising from Israel's decision to withdraw from the Gaza Strip and parts of the northern West Bank, and hoped to see a full and complete withdrawal from Gaza and parts of

the West Bank. It urged Israel and the Palestinian Authority to engage fully and constructively to ensure an orderly transition which would accelerate progress on the road map. Canada also welcomed the resolve of the Palestinian Authority to prevent terrorist attacks, enforce the rule of law, and conduct security sector reform. A secure environment would contribute significantly to international efforts to strengthen the Palestinian economy, including the mission of the quartet Special Envoy for Gaza Disengagement. Canada called on all parties to adhere to their obligations under international humanitarian and human rights law.

59. His delegation would have liked the draft resolution to address recent developments in the region in a way more helpful to constructive dialogue between the parties. His Government continued to oppose the construction of sections of the barrier in occupied territory, in contravention of international law. Consistent with that approach and with its support for Israel's right to ensure its own security, including restricting access to its territory, it preferred the use of previously agreed language on this issue, based on ES-10/13 of 27 October 2003.

60. **Mr. Guardia** (Panama) said that his delegation had voted in favour of the draft resolution in recognition of the struggle of the Palestinian people to form a sovereign State and of the difficulties caused by the occupation of their territory. It hoped that the situation would be resolved by peaceful means. However, he expressed concern about the duplication of resolutions on that subject, which did not help to achieve lasting peace in the region; the United Nations should focus its efforts on a peaceful settlement of the already prolonged conflict between Israel and Palestine.

61. **Mr. Chulkov** (Russian Federation) said that his delegation had voted in favour of the draft resolution. His Government continued to believe that consideration of the issue should be guided by General Assembly resolutions, which affirmed the inalienable rights of the Palestinian people and the population of the occupied Syrian Golan to their natural resources, including land and water, and called upon Israel not to exploit, destroy, deplete or in any way threaten the natural resources of the Occupied Palestinian Territory, including Jerusalem and the occupied Syrian Golan. It was important to resolve urgent problems, including improving the humanitarian situation in the Palestinian territories, preventing acts of terrorism and reaching mutual consensus on security measures. Such steps would create favourable conditions for a coordinated and peaceful withdrawal of the Israeli army and the evacuation of settlers from the Gaza sector and the northern part of the West Bank of the Jordan river, and would allow for the fulfilment of the road map. The Council's consideration of the agenda item was unfortunately becoming increasingly politicized, which distracted the Council from fulfilling its main functions of coordinating United Nations activities in the social and economic spheres.

62. **Ms. Davis** (United Kingdom), speaking on behalf of the European Union, the acceding countries Bulgaria and Romania, the candidate countries Turkey and Croatia, the countries of the Stabilisation and Association Process and potential candidates Bosnia and Herzegovina, the Former Yugoslav Republic of Macedonia, Serbia and Montenegro, the EFTA countries Iceland, Liechtenstein and Norway, members of the European Economic Areas and Ukraine, stressed that the Government of Israel must take urgent action to alleviate the humanitarian plight of the Palestinian people, inter alia, by facilitating the movement of Palestinian people and goods and access by international humanitarian organizations. The European Union was concerned about the separation barrier being built by Israel, especially in and around East Jerusalem, and called upon Israel to stop and reverse its settlement activities, which made a two-State solution impossible.

63. The European Union condemned the recent terrorist attacks on Israel and the violence committed by Palestinian militants against Palestinian security personnel. While recognizing Israel's right to protect its citizens, the European Union had consistently opposed extrajudicial killings, which were contrary to international law. It supported the Israeli withdrawal from Gaza and parts of the northern West Bank and welcomed the work of the Quartet Special Envoy for Disengagement.

64. In 2005, as in previous years, the European Community would provide €250 million in financial assistance to the Palestinians. In addition, it was making significant contributions in anticipation of the forthcoming Israeli withdrawal. The European Union reaffirmed its view that the way to achieve a permanent peace was a viable two-State solution achieved through the full implementation by both parties of their

commitments under the road map. That solution could be achieved only through negotiations between the parties, with the support of the international community.

65. **Mr. Sunaga** (Japan) said that his delegation had voted in favour of the draft resolution in the hope that it would help to smooth the way for a resumption of work under the road map. While Japan agreed that the international community should support the efforts of the two sides to achieve peace, he reiterated his country's view that it was not appropriate for the Council to deliberate such issues.

66. **Mr. Sermoneta** (Observer for Israel) said that his delegation regretted the adoption of the draft resolution, which was one-sided, out of context and would not help either to achieve a lasting solution in the region or to enhance the credibility of United Nations efforts. The resolution called for a cessation of terror without demanding that the Palestinian Authority assume its responsibilities and take action to combat it, and it made no mention of the right to life of Israeli citizens. Moreover, Israel believed that the international instruments cited in the eleventh preambular paragraph, which applied to peacetime situations, did not apply to the West Bank and Gaza, where a situation of armed conflict prevailed.

67. **Mr. Hijazi** (Observer for Palestine) expressed appreciation for the adoption of the draft resolution, which reflected the fact that for 48 years the Palestinian people had been deprived of rights that other peoples took for granted, and the Israeli position of alienating itself consistently from the international community. He expressed the hope that the resolution would help bring the Palestinian people closer to the enjoyment of their economic and social rights and to a brighter future, with careful monitoring by the international community.

68. **Mr. Sabbagh** (Observer for the Syrian Arab Republic) said that the adoption of the draft resolution reflected the international community's support for a just and lasting peace and its awareness of the threat to such peace represented by Israel's defiance of international law and human rights instruments and of its actions against Arab citizens in the Occupied Syrian Golan and Jerusalem.

69. **The President** suggested that the Council should take note of the note by the Secretary-General contained in document A/60/65-E/2005/13.

70. *It was so decided.*

Economic and environmental questions (*continued*)

Draft resolution E/2005/L.41: Promoting coordination and consolidation of the work of the functional commissions

71. *Draft resolution E/2005/L.41 was adopted.*

(a) Sustainable development (*continued*)

72. **The President** invited the Council to take action on the following draft decision:

> "*The Economic and Social Council,*
>
> "*Decides* to defer consideration of the report of the Committee for Development Policy to a later date, with a view to concluding its deliberations before the commencement of the eighth session of the Committee."

73. **Ms. Hughes** (United States of America) said that although her delegation would join the consensus on the decision, the United States regretted the fact that the late submission of documentation had prevented proper discussion of the criteria used in designating least developed countries and their graduation to another category. Accordingly, she stressed that the Council should improve its working methods, particularly with regard to deadlines for the submission of proposals.

74. *The draft decision was adopted.*

(b) Science and technology for development (*continued*)

75. **The President** invited the Council to take action on the recommendations contained in the report of the Commission on Science and Technology for Development on its eighth session. Chapter I of document E/2005/31-E/CN.16/2005/5, contained a draft resolution the agreed version of which was currently being circulated in an informal paper, and three draft decisions.

Draft resolution entitled "science and technology for development"

76. **Ms. Davis** (United Kingdom), speaking on behalf of the European Union, said that, in joining the consensus, the European Union wished to confirm that

it was not endorsing the selection of recommendations contained in paragraph 1 as a subset of those contained in the report as a whole. The European Union regretted that two of the recommendations, in paragraphs 2 (a) (vi) and 2 (a) (ix), had been deleted, and that Governments had not been invited to review and implement them as appropriate.

77. *The draft resolution, as contained in the informal paper, was adopted.*

Draft decision I: Extension of the mandate of the Gender Advisory Board

78. **The President** said that, following informal consultations, the text of the draft decision now read:

> "The Economic and Social Council decides to extend the mandate of the Gender Advisory Board for a further five years, through the continued use of extra-budgetary funding, beginning from 1 January 2006, in order to allow it to complete its programme of work within the extrabudgetary resources allocated for this purpose."

79. *Draft decision I, as orally amended, was adopted.*

Draft decision II: Methods of work of the Commission on Science and Technology for Development.

80. *Draft decision II was adopted.*

Draft decision III: Report of the Commission on Science and Technology for Development on its eighth session and provisional agenda and documentation for the ninth session of the Commission

81. *Draft decision III was adopted.*

(g) Public administration and development (*continued*)

82. **Mr. Bernardini** (Italy), speaking as the facilitator of discussions on the draft resolution contained in document E/2005/44, explained that, because of the reference in the fifth preambular paragraph to the concept of security, which was being dealt with elsewhere, some members wished to defer consideration of the draft resolution.

83. **Ms. Navarro Barro** (Cuba) said that her delegation would join the consensus to defer consideration of the draft resolution on the understanding that that decision reflected a desire to continue negotiations with a view to reaching a solution. One paragraph, which was not central to the resolution, should not prevent the Council and the Committee of Experts on Public Administration from fulfilling their mandate.

84. **The President** said he took it that the Council wished to defer consideration of the report of the Committee of Experts on Public Administration (E/2005/44) until a resumed substantive session.

85. *It was so decided.*

(h) International cooperation in tax matters (*continued*)

86. **The President** suggested that, since the Committee of Experts on International Cooperation in Tax Matters would meet from 5 to 9 December 2005 in Geneva, the Council might wish to defer consideration of the sub-item until a resumed substantive session.

87. **Ms. Hughes** (United States of America) asked whether the Council would be willing to take up the report of the Committee of Experts on International Cooperation in Tax Matters at the next substantive session.

88. After a discussion in which **Mr. Seth** (Secretary of the Council), **Ms. Hughes** (United States of America) and **Ms. Houngbedji** (Benin) took part, **the President** suggested that the matter should be taken up at the Council's organizational session in February 2006.

89. *It was so decided.*

(m) Transport of dangerous goods (*continued*)

90. **The President** invited the Council to take action on the draft resolution entitled "Work of the Committee of Experts on the Transport of Dangerous Goods and on the Globally Harmonized System of Classification and Labelling of Chemicals" contained in document E/2005/53 and amendments thereto contained in document E/2005/L.42.

91. **Mr. Seth** (Secretary of the Council) said that under the terms of paragraph 3, section C, of the draft resolution, the Secretary-General would be requested to reallocate appropriate General Service staff resources for the activities of the Committee. Provisions for the servicing of the Committee of Experts on the Transport of Dangerous Goods and on

the Globally Harmonized System of Classification and Labelling of Chemicals and its two Subcommittees were included in the programme budget for the biennium 2006-2007. Hence, no additional appropriation would be required as a result of the adoption of the draft resolution. The attention of the Council was drawn to the provision of section VI of General Assembly resolution 45/248 B of 21 December 1990, in which the Assembly reaffirmed that the Fifth Committee was the appropriate Main Committee of the Assembly entrusted with responsibilities for administrative and budgetary matters; and reaffirmed also the role of the Advisory Committee on Administrative and Budgetary Questions.

92. **Mr. Kotis** (United States of America) said that, while joining the consensus on the amendments contained in document E/2005/L.42, his delegation wished to comment on the fourth preambular paragraph and on paragraph 5 of the draft resolution. Since the Committee of Experts had not agreed that it should draft an international convention, his delegation believed that it was inappropriate to raise that possibility; it would be far more productive for the Committee to continue to focus on harmonization between national, regional and international regulations on the safe transport of dangerous goods. The United Nations Model Regulations allowed for flexibility while working towards a harmonization. However, many developing countries were not in a position to adopt all the requirements of the Model Regulations; the provision of training and technical assistance to such countries to facilitate the implementation of the Model Regulations would therefore be more useful than imposing requirements on them on the basis of an international convention. Moreover, the development of international conventions was extremely resource-intensive and was unlikely to lead to greater harmonization or participation; it was doubtful that all countries, including the United States, would become signatories.

93. His delegation interpreted paragraph 5 of the draft resolution as recognition of the valuable work of the Committee of Experts, and noted that the Committee was making progress on alternative efforts to further enhance harmonization of regulations on the safe transport of dangerous goods. The Committee should consider all possible alternatives for enhancing international harmonization and should consider the development of an international instrument only if it was deemed necessary after exploring all other options.

94. **The President** said that he took it that the Council wished to adopt the draft resolution contained in document E/2005/53, as amended by document E/2005/L.42.

95. *It was so decided.*

(d) Human settlements (*continued*)

(e) Environment (*continued*)

(j) Assistance to third States affected by the application of sanctions (*continued*)

96. **The President** suggested that the Council should take note of the reports contained in documents A/60/8, Supplement No. 8; A/60/25, Supplement No. 25; and A/59/334 and E/2005/62 under sub-items (d), (e) and (j).

97. *It was so decided.*

98. **Mr. Seth** (Secretary of the Council), responding to a request from delegations for clarification concerning the programme budget implications of draft resolutions I and II contained in document E/2005/29, said that the Budget Division had indicated that the adoption of those draft resolutions did not entail additional resources over and above those proposed under the proposed programme budget for the biennium 2006-2007. The draft resolution on the United Nations Forum on Forests did not entail any financial implications either, because provision for the conference-servicing requirements for the sixth session had already been made in the proposed programme budget for the biennium 2006-2007.

Social and human rights questions

(a) Advancement of women (*continued*)

Draft resolutions E/2005/L.32 and E/2004/L.44

99. **The President** drew attention to draft resolution E/2005/L.44 entitled "United Nations Development Fund for Women", which had been submitted on the basis of informal consultations on draft resolution E/2005/L.32.

100. *Draft resolution E/2005/L.44 was adopted.*

101. *Draft resolution E/2005/L.33 was withdrawn.*

102. **The President** invited the Council to take note of the following documents: report of the Committee on the Elimination of Discrimination against Women (A/60/38 (Part I)); and the report of the Executive Board of the United Nations International Research and Training Institute for the Advancement of Women on the work of its second session (E/2005/75).

103. *It was so decided.*

(d) Narcotic drugs

104. **The President** suggested that the Council take note of the reports contained in documents E/2005/28, Supplement No. 8, and E/INCB/2004/1.

105. *It was so decided.*

Closure of the session

106. **Mr. Ocampo** (Under-Secretary-General for Economic and Social Affairs) said that the Council had used the timing of the current session to send a clear, coherent message to the upcoming High-Level Plenary Meeting of the General Assembly in September. According to that message, the Council saw the United Nations development agenda as the comprehensive framework for pursuing poverty eradication and sustainable development and as a powerful stepping stone towards fair, equitable and inclusive societies and fair, equitable and inclusive globalization. The Council had stressed the need to overcome quickly the so-called "implementation gap" and had recognized the need to continue to strengthen its links to its subsidiary bodies, as well as its role in system-wide coordination. In that regard, efforts should be vigorously pursued to connect the work of the functional commissions more directly to that of the Council.

107. The Council also felt that the United Nations system should promote stronger linkages between its normative and operational work, which ultimately required sufficient resources; indeed, the lack of adequate funding, particularly core resources, was the single most important constraint on the performance of the United Nations system's development actors. The Council had also stressed the importance of regional cooperation and the need to better integrate regional bodies into global processes. Furthermore, members of the Council had made a unanimous call for the Council to make every effort to enhance its capacity in humanitarian affairs. Lastly, the Council provided a forum for addressing the security-development nexus. The Council should reinforce its links to the Security Council and the proposed Peacebuilding Commission.

108. The High-Level Plenary Meeting was likely to adopt a number of proposals regarding the functions that the Council should perform, including providing for peer reviews, serving as a development cooperation forum, convening emergency meetings and engaging in peacebuilding. To perform those functions effectively, the Council would need to rethink and change its working methods. Among other things, it needed to introduce more flexibility into its work; ensure that its coordination function responded to the diversity of the United Nations system; and meet, as required, during the year.

109. **The President** said that the substantive session had been successful in many ways. It had been deliberately conceptualized as a contribution to preparations for the 2005 High-Level Plenary Meeting of the General Assembly. A key innovation had been the "Voices against poverty", which had sent at least four messages: there was a systemic basis for widespread poverty in the world, which needed to be addressed; there should be concern about jobless growth and deliberate policies should be put in place to address it; a key offshoot of poverty was the proliferation of conflicts; and the Council had a unique role in not only coordinating views and actions, but also in bringing the whole system together to work for development.

110. A number of important messages had emerged from the session. The first was that the world was off track with regard to the achievement of the Millennium Development Goals in many sectors and in many countries. Second, while the United Nations system had come together behind the Millennium Development Goals and the United Nations development agenda, a truly integrated follow-up to actions and decisions was yet to emerge. Third, operational activities were critical to help the most disadvantaged developing countries. Fourth, security and development were inextricably linked at every stage. Fifth, humanitarian emergencies must be addressed through coordinated and effective response. Finally, there had been wide recognition of the central role of the Council, given its extensive convening power for the promotion of action for development.

111. He was happy to note that the latest version of the draft outcome document circulated by the President of

the General Assembly had reflected many of his suggestions on the strengthening of the Council. It must be ensured that decisions taken at the High-Level Plenary Meeting with regard to the Council were translated into concrete and coherent policy actions; efforts must continue to translate those actions into reality. To transform the Council into an effective platform for policy dialogue, greater system-wide participation must be encouraged and a coherent monitoring mechanism to review implementation of agreed development goals must be put in place. The Council needed to be promoted as an effective development cooperation forum. .The experience gained from the resident coordinator system could help in taking decisions with regard to the quantity, quality and effectiveness of international assistance.

112. There was also a need to approve the strong nexus between peace and development. Although a peacebuilding commission was in the offing, greater focus was needed on how timely development support could help in the prevention of conflicts in various parts of the world. Conscious efforts needed to be made to strengthen the Council's coordination function as envisaged in the Charter. In that connection, the recommendations contained in the Chief Executives Board for Coordination report entitled "One United Nations — catalyst for progress and change: how the Millennium Declaration is changing the way the United Nations system works" could provide useful insights for future direction. The session had made a valuable contribution to the debate on development and to the High-Level Plenary Meeting. The international community should continue to work together to translate those contributions into concrete decisions that could be effectively implemented later.

The meeting rose at 6.05 p.m.

United Nations E/2005/SR.41

Economic and Social Council

Provisional

7 November 2005

Original: English

Resumed substantive session of 2005

Provisional summary record of the 41st meeting
Held at Headquarters, New York, on Friday, 21 October 2005, at 12.50 p.m.

President: Mr. Akram ..... (Pakistan)

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Corrections to this record should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent *within one week of the date of this document* to the Chief, Official Records Editing Section, room DC2-750, 2 United Nations Plaza.

05-56362 (E)

The meeting was called to order at 12.50 p.m.

Election of a Vice-President

1. **The President** announced the departure from the Council of Ambassador Jaime Moncayo. He had been informed that, in accordance with rule 22 of the Rules of Procedure of the Council, the Group of Latin American and Caribbean States had endorsed the candidacy of Mr. Diego Cordovez, Permanent Representative of Ecuador to the United Nations, to replace Ambassador Moncayo.

2. *Mr. Diego Cordovez (Ecuador) was elected by acclamation Vice-President of the Council for the remainder of its 2005 session.*

Adoption of the agenda and other organizational matters (*continued*)

Theme for the high-level segment

3. **The President** proposed that, in accordance with the agreement reached in informal consultations, the Council should decide that the theme for the high-level segment of its substantive session of 2006 would be "Creating an environment at the national and international levels conducive to generating full and productive employment and decent work for all and its impact on sustainable development".

4. *It was so decided.*

Enlargement of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees (E/2005/93 and E/2005/L.50)

5. **The President** drew attention to draft decision E/2005/L.50, entitled "Enlargement of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees". If he heard no objections, he would take it that the Council wished to adopt the draft decision.

6. *It was so decided.*

Economic and environmental questions (*continued*)

(g) Public administration and development (*continued*) (E/2005/L.51)

7. **The President** drew the Council's attention to draft resolution E/2005/L.51, entitled "Report of the Committee of Experts on Public Administration on its fourth session and dates, venue and provisional agenda for the fifth session of the Committee", which he had submitted on the basis of informal consultations. If he heard no objections, he would take it that the Council wished to adopt the draft resolution.

8. *It was so decided.*

The meeting rose at 1 p.m.